

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

DEC - 7 2015

CLERK, U.S. DISTRICT COURT

MICHAEL GERMAIN,
Plaintiff,

v.

U.S. BANK NATIONAL ASSOCIATION
and OCWEN LOAN SERVICING, LLC,
Defendants.

No. 3:15-CV-1694-M (BF)

ORDER

This case has been referred to the United States Magistrate Judge for Pretrial Management. On November 17, 2015, the undersigned entered Findings, Conclusions, and Recommendation [D.E. 13] recommending that the District Court grant the Motion to Dismiss [D.E. 7] filed by U.S. Bank National Association and Ocwen Loan Servicing, LLC ("Defendants"). On December 1, 2015, Michael Germain ("Plaintiff") filed his Motion for Leave to File First Amended Complaint ("Motion for Leave") [D.E. 15]. Upon consideration of Plaintiff's Motion for Leave, the undersigned VACATES the November 17, 2015 Findings, Conclusions, and Recommendation [D.E. 13], and GRANTS the Motion for Leave [D.E. 15]. Furthermore, Defendants' Motion to Dismiss [D.E. 7], which seeks to dismiss the claims in Plaintiff's Original Petition, is DENIED without prejudice as moot.

SO ORDERED, December 7, 2015.


PAUL D. STICKNEY
UNITED STATES MAGISTRATE JUDGE